

FILED

OCT 27 2016

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY

UNITED STATES OF AMERICA

§
§
§
§

v.

PE-12-CR-280 PRM(11)

JOSEPH AARON BENAVIDEZ

ORDER REVOKING SUPERVISED RELEASE

On October 18, 2016, came to be considered the motion to revoke supervised release in the above styled and numbered cause. The Defendant appeared in person, represented by Kevin Acker, and the Government appeared by and through its Assistant United States Attorney, Monty Kimball. After hearing the evidence, the Court found that the Defendant, JOSEPH AARON BENAVIDEZ, had violated the conditions of supervised release imposed by virtue of the judgment entered herein on February 19, 2013, in that he failed to abstain from the unlawful use of controlled substances; and failed to pay the court imposed fine as directed. The Court further found that the motion to revoke supervised release should be granted.

It is therefore ORDERED that the motion to revoke supervised release filed herein on October 12, 2016, be, and it is hereby, GRANTED.

It is further ORDERED that the supervised release of Defendant JOSEPH AARON BENAVIDEZ be, and it is hereby, REVOKED.

It is further ORDERED that the Defendant be, and is hereby, COMMITTED to the custody of the Bureau of Prisons for a period of four (4) months, and that upon release, the defendant shall be on supervised release for a term of eight (8) months.

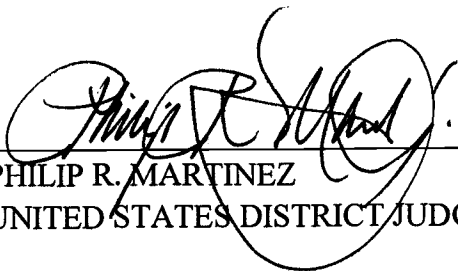
Defendant: JOSEPH AARON BENAVIDEZ
Case Number: PE-12-CR-280 PRM(11)

Page 2 of 4

While on supervised release, the defendant shall comply with the standard conditions that have been adopted by this Court as set forth on page 3 and 4 of this order revoking supervised release.

All terms and conditions imposed in the original judgment which are not included in this order shall remain in effect.

SIGNED and ENTERED this 26 day of October, 2016.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE

Defendant: JOSEPH AARON BENAVIDEZ
Case Number: PE-12-CR-280 PRM(11)

Page 3 of 4

CONDITIONS OF SUPERVISION

Standard Conditions:

- 1) The defendant shall not commit another federal, state, or local crime.
- 2) The defendant shall not illegally possess a controlled substance.
- 3) If the judgment imposed a fine or a restitution obligation, it shall be a condition of supervision that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with any schedule of payments set forth in the Criminal Monetary Penalties sheet of the judgment. In any case, the defendant shall cooperate with the Probation Officer in meeting any financial obligations.
- 4) In supervised release cases only, the defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- 5) If convicted of a felony, the defendant shall not possess a firearm, destructive device or any other dangerous weapon.
- 6) The defendant shall submit to an evaluation for substance abuse or dependency treatment as directed by the probation officer, and if deemed necessary, the defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic addiction or drug or alcohol dependency which may include testing and examination to determine if the defendant has reverted to the use of drugs or alcohol. The defendant may be required to contribute to the costs of services rendered (co-payment) in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- 7) The defendant shall not leave the judicial district without the permission of the Court or Probation Officer.
- 8) The defendant shall report to the Probation Officer and shall submit a truthful and complete written report within the first five days of each month.
- 9) The defendant shall answer truthfully all inquiries by the Probation Officer and follow the instructions of the Probation Officer.

Defendant: JOSEPH AARON BENAVIDEZ
Case Number: PE-12-CR-280 PRM(11)

Page 4 of 4

- 10) The defendant shall support his or her dependents and meet other family responsibilities.
- 11) The defendant shall work regularly at a lawful occupation unless excused by the Probation Officer for schooling, training or other acceptable reasons.
- 12) The defendant shall notify the Probation Officer at least ten days prior to any change in residence or employment.
- 13) The defendant shall abstain from the use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.
- 14) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 15) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.
- 16) The defendant shall permit a Probation Officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the Probation Officer.
- 17) The defendant shall notify the Probation Officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 18) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 19) As directed by the Probation Officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the Probation Officer to make such notifications and to confirm the defendant's compliance with such notification requirement.